

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 31, 2006
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Council President Peters at 10:05 a.m. Council President Peters recessed the meeting at 10:19 a.m. to convene the Redevelopment Agency. Council President Peters reconvened the regular meeting at 10:20 a.m. with all Council Members present. Council President Peters recessed the meeting at 11:07 a.m. to convene the Housing Authority. Council President Peters reconvened the regular meeting at 11:17 a.m. with all Council Members present. Council President Peters adjourned the meeting at 11:25 a.m.

ATTENDANCE DURING THE MEETING:

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-present
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present
- Clerk-Maland (ek)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Maland called the roll:

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-present
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1: **REFERRED TO METROPOLITAN TRANSIT SYSTEM**

Don Stillwell commented regarding the scheduled bus connections and transit destinations.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:23 a.m.)

PUBLIC COMMENT-2:

Sandy Summers commented on political persecution.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:24 a.m. – 10:26 a.m.)

PUBLIC COMMENT-3:

Al Strohlein commented on the subject of missing files within various districts of the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:27 a.m. – 10:31 a.m.)

**PUBLIC COMMENT-4: REFERRED TO THE PUBLIC SAFETY AND
NEIGHBORHOOD SERVICES COMMITTEE**

Patricia Granger commented regarding pandemics in the past and at present.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:32 a.m. – 10:35 a.m.)

PUBLIC COMMENT-5:

James Hartline commented on Planned-Parenthood in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:37 a.m.)

PUBLIC COMMENT-6:

George Cook commented on traffic sign postings in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:38 a.m. – 10:39 a.m.)

PUBLIC COMMENT-7:

Muhammed Abdulah commented on the subject of police brutality.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:40 a.m. – 10:43 a.m.)

PUBLIC COMMENT-8:

Robert Haynes commented on the subject of concessions and the placement of trash cans at Qualcomm Stadium.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:44 a.m. – 10:46 a.m.)

PUBLIC COMMENT-9:

Daniel Pick wished to express his appreciation for the Council's recognition of his father, Richard Pick.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:47 a.m. – 10:48 a.m.)

PUBLIC COMMENT-10:

Phil Hart commented on a recovery plan for the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:49 a.m. – 10:50 a.m.)

PUBLIC COMMENT-11:

Ron Boshun commented on the actions of the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:51 a.m. – 10:53 a.m.)

PUBLIC COMMENT-12:

Phil Magnan commented on the subject of doing business with Planned-Parenthood organizations.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:54 a.m. – 10:57 a.m.)

PUBLIC COMMENT-13:

Mark Ginella commented on choosing heroes to honor.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:58 a.m. – 10:59 a.m.)

PUBLIC COMMENT-14:

Edgar Brown commented on the function of college campuses in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:00 a.m. – 11:01 a.m.)

PUBLIC COMMENT-15:

Kimberly Regnier commented on the status of abortions in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:02 a.m. – 11:05 a.m.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council President Peters wished to acknowledge the red pins received by City Council Members which are meant to signify National Wear Red Day on Friday, February 3, 2006, and are to be worn in support of the fight against heart disease among women. Mr. Peters stated that this can be checked out at “Go Red for Women Movement.”

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:06 a.m. – 11:07 a.m.)

INDEPENDENT BUDGET ANALYST COMMENT:

None.

CITY ATTORNEY COMMENT:

None.

ITEM-330: **NOTE:** This item has been returned to staff.

NOTE: It is anticipated that this item will be continued and the item will not be discussed.

ITEM-331: Four actions related to Proposed Amendments to the Downtown Community Plan/Planned District Ordinance/Redevelopment Plan.

STAFF'S RECOMMENDATION:

Introduce the ordinances in Subitems A and C, and adopt the resolutions in Subitems B and D:

Subitem-A: (O-2006-84) CONTINUED TO TUESDAY, FEBRUARY 28, 2006,
WITH DIRECTION

Introduction of an Ordinance approving the Planned District Ordinance (PDO).

Subitem-B: (R-2006-649) CONTINUED TO TUESDAY, FEBRUARY 28, 2006,
WITH DIRECTION

Approving the Downtown Community Plan (DCP).

Subitem-C: (O-2006-85) CONTINUED TO TUESDAY, FEBRUARY 28, 2006,
WITH DIRECTION

Introduction of an Ordinance approving the amendment to the Centre City
Redevelopment Plan (CRP).

Subitem-D: (R-2006-650) CONTINUED TO TUESDAY, FEBRUARY 28, 2006,
WITH DIRECTION

Certifying that the information contained in Environmental Impact Report (EIR)
SCH No. 2003041001 has been completed in compliance with the California
Environmental Quality Act and State CEQA Guidelines, and that said EIR reflects
the independent judgment of the City of San Diego as Responsible Agency;

Stating for the record that the final EIR has been reviewed and considered prior to
approving the project;

Adopting the Findings and Statement of Overriding considerations;

Adopting the Mitigation, Monitoring, and Reporting Program.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:07 a.m. – 10:19 a.m.)

MOTION BY FAULCONER TO CONTINUE TO TUESDAY, FEBRUARY 28, 2006, FOR FURTHER REVIEW WITH DIRECTION FROM COUNCIL MEMBER ATKINS THAT THE MAYOR'S OFFICE TAKE NOTE OF THE SIX TO EIGHT ANKA PROJECTS REGARDING THIS ITEM AND TO PROVIDE PROPOSED RECOMMENDATIONS AND PLANS FOR EACH PROJECT WHICH WOULD ALLOW THEM TO CONTINUE OR DISCONTINUE. ACCEPT COUNCIL PRESIDENT PETERS' RECOMMENDATION THAT THE MAYOR AND CITY ATTORNEY CONSIDER ON AN EXPEDITED BASIS ANY REQUESTS THAT ARE ESPECIALLY AFFECTED DUE TO CONTINUING THIS ITEM. Second by Frye. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-332: Pacific Highlands Ranch Maintenance Assessment District Formation.

(Pacific Highlands Ranch Community Area. District 1.)

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2006-271 Cor. Copy) ADOPTED AS RESOLUTION R-301213

Authorizing the City Auditor and Comptroller to establish the Pacific Highlands Ranch Maintenance Assessment District Fund.

Subitem-B: (R-2006-272 Cor. Copy) ADOPTED AS RESOLUTION R-301214

Approving Fiscal Year 2006 Budget for the Pacific Highlands Ranch Maintenance Assessment District.

Subitem-C: (R-2006-274 Cor. Copy) ADOPTED AS RESOLUTION R-301215

Considering the protests, approving Assessment Engineer's Report, confirming the assessments, and ordering the improvements, maintenance and/or services, in the matter of the Pacific Highlands Ranch Maintenance Assessment District.

STAFF SUPPORTING INFORMATION:

This action authorizes the ballot proceedings to form the Pacific Highlands Ranch Maintenance Assessment District (District). The District is in the Pacific Highlands Ranch Community Planning Area and is located east of Carmel Valley, west of Torrey Highlands, north of Del Mar Mesa, and south of unincorporated San Diego County. The purpose of the District is to fund the maintenance of enhanced landscaping and street lighting improvements located in public rights-of-way, medians, parkways and dedicated easements. The District will take over certain landscaped area starting in Fiscal Year 2007; the streetlights in the arterials will be taken over in Fiscal Year 2006.

	<u>FY 2006</u>	<u>Maximum Authorized</u>
EXPENSES		
Personnel	\$0	\$36,467
Contractual	\$45,604	\$328,925
Incidental	\$40,000	\$74,332
Outlay	\$0	\$0
Streetlight Improvements	\$20,745	\$67,181
Energy & Utilities	<u>\$0</u>	<u>\$43,113</u>
TOTAL EXPENSES	\$106,349	\$550,018
REVENUES		
Assessments	\$116,349	\$541,680
City Contributions – Gas Tax	\$0	\$134,656
Interest	<u>\$0</u>	<u>\$10,000</u>
TOTAL REVENUES	\$116,349	\$686,336
RESERVES	\$10,000	\$136,318

The proposed annual assessments were calculated by an assessment engineer for parcels within the district and are based on each parcel's equivalent benefit unit (EBU), which is equivalent to one single family dwelling unit. Properties within the proposed district will be assessed based on the rate of development, land use, and proximity to the improvements. The maximum assessments rates per EBU for these improvements will vary. Based on Fiscal Year 2006 cost estimates, the cost per EBU will range between \$188 to \$297.

FISCAL IMPACT:

Approximately \$118,696 will be assessed to the property owners within the District in Fiscal Year 2006. The proposed Fiscal Year 2006 assessments and maximum authorized assessments are permitted to increase annually at a rate equivalent to the San Diego Consumer Price Index – Urban (SDCPI-U) plus 3%. A gas tax contribution for the General Benefit of landscaped and hardscaped median maintenance in the District will be requested as part of the Fiscal Year 2007

budget process. At build out, the amount is calculated to be \$134,656. The General Fund will not be impacted, as there are no City-owned parcels located within the District.

Oppenheim/Medina/AWF

Staff: Andrew Field – (619) 533-6778
Hilda Mendoza – Deputy City Attorney

FILE LOCATION: STRT-M-505 (34)

COUNCIL ACTION: (Time duration: 10:05 a.m. – 10:05 a.m.;
11:17 a.m. – 11:18 a.m.)

Council President Peters closed the hearing.

City Clerk Maland announced that the election has been conducted according to Assessment Proceedings and that the ballots in favor exceed the ballots in opposition, with a weighted majority vote in favor, and that the proposed formation of the Pacific Highlands Ranch Maintenance Assessment District and Annual Assessment has passed. Miss Maland then certified the results of the election and submitted them to the City Council.

MOTION BY ATKINS TO ADOPT THE RESOLUTION TO OVERRULE ANY PROTESTS TO THE LEVY OF ASSESSMENTS FOR THE PACIFIC HIGHLANDS RANCH MAINTENANCE ASSESSMENT DISTRICT, TO APPROVE THE SUBMITTED ASSESSMENT ENGINEER'S REPORT AND DISTRICT MAP, AND TO AUTHORIZE THE LEVY OF ASSESSMENTS ASSOCIATED WITH ITEM 332. Second by Frye. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Council President Peters at 11:25 a.m. in honor of the memory of:

Hamilton Marston as requested by Council Member Atkins;
Lou Reese as requested by Council Member Maienschein; and
Coretta Scott King as requested by Council President Pro Tem Young.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Time duration: 11:18 a.m. – 11:25 a.m.)